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5-19-15

**2015 CITY OF SAN JOSE – MEF/CEO NEGOTIATIONS
TENTATIVE AGREEMENT**

CITY COUNTERPROPOSAL TO MEF – HOURS OF WORK AND OVERTIME

City Proposed Language:

ARTICLE 7 HOURS OF WORK AND OVERTIME

- 7.3 The normal work schedule shall be forty (40)-hours consisting of five (5) consecutive days of eight (8) hours each, exclusive of a lunch period of at least thirty (30) minutes, Monday through Friday. Insofar as is possible, lunch periods shall be scheduled in the middle of the shift. The length of any lunch period is subject to supervisory approval.

7.3.1 Full-time employees in the Senior Airport Operations Specialist classification (3514) in the Airport Department, full-time employees in the Animal Services Officer classification (3252) in the Public Works Department, and/or full-time employees in the Senior Animal Services Officer Classification (3251) in the Public Works Department shall work either a straight eight (8) hour shift without an unpaid lunch five (5) days a week or a straight ten (10) hour shift without an unpaid lunch four (4) days a week.

7.3.1.1 Employees in the classifications listed in 7.3.1 will be required to perform activities that are work related during their entire work shift. If an employee needs to be relieved of active work time for any period of time during their work shift, they must request to use their own leave and such requests are subject to supervisory approval prior to the use of such leave.

An employee is not required to use their leave to take their two (2) fifteen (15) minute breaks (or rest period), which cannot be combined. Insofar as is possible, breaks (or rest periods) shall be scheduled in the middle of each half of the shift. If an employee is unable to take a rest period, it shall not be considered time worked for the purpose of calculating eligibility for overtime.

7.3.1.2 Full-time employees in the Senior Airport Operations Specialist classification (3514) may not leave Airport property, unless performing work off-site as directed by their supervisor, and must be available to perform activities that are work related during their entire work shift. If an employee needs to leave Airport property and/or is unavailable to perform activities that are work related for any reason during their work shift, they must request to use their own leave and such requests are subject to supervisory approval prior to the use of such leave.

7.3.1.3 Full-time employees in the Animal Services Officer classification (3252), and/or full-time employees in the Senior Animal Services Officer Classification (3251) may be required to respond to emergency calls and must be available to perform activities that are work related during their entire work shift. If an employee is unavailable to perform activities that are work related for any reason during their work shift, they must request to use their own leave and such requests are subject to supervisory approval prior to the use of such leave.

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**This agreement is considered tentative and shall not be considered final or binding until a final agreement on all terms has been reached and both ratified by union members and approved by the City Council.*

FOR THE CITY:

Jennifer Schembri Interim Director of Employee Relations	Date
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FOR THE UNION:

Yolanda Cruz President MEF, AFSCME Local 101	Date
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Charles Allen Business Agent AFSCME, Local 101	Date
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